

# **Central Administrative Tribunal: Hyderabad Bench**

**Original Application No.20/316/2020**

Hyderabad, this the 8<sup>th</sup> day of July, 2020

**Hon'ble ShriA shish Kalia, Member (J)**  
**Hon'ble Mr. B. V. Sudhakar, Member (A)**

Sri Gadde Venkata Ramana  
S/o Late Gadde Rama Rao  
Aged about 58 years,  
Occ: Technician Grade I (C&W), Group 'C'  
Resident of Door Number 58-24-54/9/2, Gavara Veedhi  
Butchirajipalem Village, Visakhapatnam – 530 027. .... Applicant(s)

(By Advocate: Mr. P.V.L. Bhanu Prakash)

Vs.

1. The Union of India  
Railway Board, Rail Bhavan  
RaisinaMarg, New Delhi – 110 001.  
Rep. by its Chairman.
2. The East Coast Railway  
East Coast Railway Rail Sadan  
Chandraskharpur, Bhubaneswar, State of Orisha  
Represented by its General Manager.
3. The Divisional Railway Manager  
East Coast Railway, Waltair Division  
Dondaparthi, Visakhapatnam – 530 016.
4. The Chief Personnel Officer  
East Coast Railway, Chandrasekharpur  
Bhubaneswar, State of Orisha. ... Respondent(s)

(By Advocate: Shri S.M.Patnaik, SC for Railways)

**O R D E R (Oral)**

**By ShriB.V.Sudhakar, Member (A):**

2. The applicant is aggrieved by the inaction on the part of the respondents in not extending the benefit of 3<sup>rd</sup> Financial Upgradation as per MACP Scheme notified, vide Railway Board's Order dated 10.06.2009, despite making repeated representations.

3. The brief facts of the case are that the applicant is presently working as Technician Grade-I (C&W) under SSE/OEC/VSKP, Visakhapatnam District. 1<sup>st</sup> Respondent accepted the 6<sup>th</sup> CPC recommendations in respect of MACP Scheme. Applicant claims that being eligible for financial upgradation, he made a representation on 11.08.2016 to the 4<sup>th</sup> Respondent pointing out the fact that he has been stagnated in the pay scale of Rs.5200-20200 with Grade Pay of Rs.2800/- for nearly 13 years. There being no response the OA has been filed.

4. The contentions of the applicant are that he is eligible for the 3<sup>rd</sup> financial upgradation as per the Railway Board's Order dated

10.06.2009 (Annexure A-IV), Circulated Vide RBE No.101/2009. The applicant has made repeated representations on 11.08.2016, 12.08.2019 and 29.11.2019 but the respondents have not responded to the same.

5. Heard both the learned counsel and perused the records on file.

The claim of the applicant is that he is eligible for 3<sup>rd</sup> financial upgradation as per the Railway Board's Order dated 10.06.2009. In view of his eligibility, the applicant made representations to the respondents on 11.08.2016, 12.08.2019 and 29.11.2019. It is surprising that the respondents have not responded to the said representations.

6. In view of the above, the respondents are directed to dispose of the representations made by the applicant keeping in view the MACP Scheme notified by the Railway Board's Order dated 10.06.2009, which was circulated under RBE No.101/2009, by issuing a speaking and reasoned order, within a period of four weeks from the date of receipt of a copy of this order in respect of the 3<sup>rd</sup> MACP to be granted to the applicant.

7. With the above directions, the OA is disposed of, at the admission stage itself. There shall be no order as to costs.

**(B. V. Sudhakar)**  
**Member (A)**

**(Ashish Kalia)**  
**Member (J)**

*Nsn/evr*